



High Hedges (Scotland) Act 2013

2013 asp 6

Powers of entry

20 Warrant authorising entry

- (1) The sheriff or a justice of the peace may by warrant authorise any person entitled to enter the neighbouring land under section 18 to enter the land and if necessary to use reasonable force in doing so.
- (2) A warrant may be granted only if the sheriff or justice is satisfied, by evidence on oath—
 - (a) that there are reasonable grounds for entering the land concerned,
 - (b) that—
 - (i) entry to the land has been refused,
 - (ii) such a refusal is reasonably expected, or
 - (iii) the land is unoccupied, and
 - (c) that the relevant local authority has or, as the case may be, the Scottish Ministers have complied with the notice requirements imposed by section 19(2).
- (3) A warrant must not authorise—
 - (a) entry to a building which is for the time being occupied as a residence unless there is no other reasonably practicable means of access to the high hedge,
 - (b) the use of force against an individual.
- (4) A warrant expires—
 - (a) when it is no longer required for the purpose for which it is granted, or
 - (b) on the expiry of such period as may be specified in it.